

## ARTICLE 1. ADMINISTRATION

### R4-23-110. Definitions

In addition to definitions in A.R.S. § 32-1901, the following definitions apply to A.A.C. Title 4 Chapter 23:

"Digital signature" has the same meaning as in A.R.S. §§ 41-132 and 44-7002.

"Electronic signature" has the same meaning as in A.R.S. §§ 41-132 and 44-7002.

"Security paper" means paper that is approved by the Board or its designee and that includes one or more of the following features that attempt to prevent duplication or aid the authentication of a document printed on the paper: laid lines, enhanced laid lines, thermochromic ink, artificial watermark, fluorescent ink, chemical void, persistent void, penetrating numbers, high-resolution border, high-resolution latent images, micro-printing, prismatic printing, embossed images, abrasion ink, holograms, and foil stamping.

## ARTICLE 4. PROFESSIONAL PRACTICES

### R4-23-407. Prescription Requirements

A. Prescription orders. A pharmacist shall ensure that:

1. A prescription order dispensed by the pharmacist includes the following information:
  - a. No change
  - b. No change
  - c. No change
  - d. No change
  - e. No change
  - f. No change
  - g. No change
  - h. No change
  - i. No change
  - j. For an electronically transmitted prescription order, the medical practitioner's digital or electronic signature;
  - ~~j-k.~~ No change
  - ~~k-l.~~ No change
2. No change
3. No change

B. No change

1. No change
2. No change
3. No change
4. No change

C. No change

D. No change

1. No change
2. No change

3. No change
4. No change
  - a. No change
    - i. No change
      - (1) No change
      - (2) No change
      - (3) No change
    - ii. No change
      - (1) No change
      - (2) No change
    - iii. No change
      - (1) No change
      - (2) No change
      - (3) No change
      - (4) No change
      - (5) No change
      - (6) No change
      - (7) No change
      - (8) No change
  - b. No change
    - i. No change
    - ii. No change
      - (1) No change
      - (2) No change
    - iii. No change
      - (1) No change
      - (2) No change
      - (3) No change
      - (4) No change
      - (5) No change
      - (6) No change
      - (7) No change
      - (8) No change
5. No change
  - a. No change
  - b. No change
6. No change
  - a. No change
  - b. No change
  - c. No change
  - d. No change
    - i. No change
      - (1) No change

- (2) No change
    - (3) No change
    - (4) No change
  - ii. No change
    - (1) No change
    - (2) No change
    - (3) No change
    - (4) No change
    - (5) No change
    - (6) No change
    - (7) No change
    - (8) No change
- e. No change
  - i. No change
    - (1) No change
    - (2) No change
    - (3) No change
    - (4) No change
    - (5) No change
  - ii. No change
- f. No change

**E. Transmission of a prescription order by facsimile machine.**

1. A prescription order for a Schedule III through V controlled substance, prescription-only drug, or nonprescription drug may be transmitted to a pharmacy by facsimile under the following conditions:
  - a. The prescription order is faxed only to the pharmacy of the patient's choice;
  - b. To be valid, a faxed prescription order shall:
    - i. Contain all the information required for a prescription order in A.R.S. §§ 32-1968 and 36-2525; and
    - ii. Only be faxed from the medical practitioner's practice location, except a nurse in a hospital, long-term care facility, or inpatient hospice may send a facsimile of a medical order or prescription order for a patient of the facility; and
  - c. The faxed prescription order shall contain the following additional information:
    - i. The date the prescription order is faxed;
    - ii. The printed name, address, telephone number, and facsimile number of the prescribing medical practitioner;
    - iii. The facility, if applicable, from which the prescription order is faxed, including address, telephone number, and facsimile number; and
    - iv. The name of the person who transmits the facsimile, if other than the medical practitioner.
2. A prescription order for a Schedule II controlled substance may only be faxed for information purposes and may not serve as the original written prescription order

- authorizing dispensing, except for a faxed prescription order that complies with the requirements of A.R.S. § 36-2525 (F) and (G).
3. To be filed as a valid original prescription order, a faxed prescription order shall be received on a plain paper facsimile machine or the equivalent, or the receiving pharmacist shall copy the faxed prescription on paper of permanent quality to meet the seven-year record retention requirement of A.R.S. § 32-1964.
  4. A medical practitioner or the medical practitioner's agent may fax refill authorizations to a pharmacy provided the faxed authorization includes the patient name, address, drug name and strength, quantity, directions for use, medical practitioner's name, address, telephone number, and facsimile number, medical practitioner's signature or medical practitioner's agent's name, and date of authorization.
- F.** Electronic transmission of a prescription order from a medical practitioner to a pharmacy.
1. Unless otherwise prohibited by law, a prescription order may be transmitted by electronic means from the medical practitioner or medical practitioner's agent directly to the dispensing pharmacy as specified in A.R.S. § 32-1968. For electronic transmission of a Schedule II-V prescription order, the transmission shall comply with any security or other requirements of federal law. All electronic transmissions shall comply with all security requirements of state and federal law related to privacy of protected health information.
  2. In addition to all the information required to be included on a prescription order as specified in A.R.S. § 32-1968, an electronically transmitted prescription order shall include:
    - a. The date of transmission;
    - b. The identity of the individual who transmits the prescription order; and
    - c. If the individual transmitting the prescription is not the medical practitioner, the full name of the medical practitioner's authorized agent who transmits the prescription order.
  3. A pharmacy receiving an electronically transmitted prescription order shall maintain the prescription order as specified in A.R.S. § 32-1964.
  4. An electronically transmitted prescription order shall be transmitted only to the pharmacy of the patient's choice.

**R4-23-408. Computer Records**

**A.** Systems manual. A pharmacy permittee or pharmacist-in-charge shall:

1. Develop, and implement, and comply with policies and procedures for the following operational aspects of a computer system:
  - a. No change
  - b. No change
  - c. Regular and routine backup file procedure and file maintenance, including offsite storage of backup files;
  - d. No change
  - e. No change

2. No change
3. No change
4. No change
5. No change
- B.** No change
  1. No change
  2. No change
  3. No change
  4. No change
  5. No change
    - a. No change
    - b. No change
    - c. No change
    - d. No change
    - e. No change
    - f. No change
  6. No change
- C.** No change
  1. No change
  2. No change
  3. No change
  4. No change
    - a. No change
      - i. No change
      - ii. No change
      - iii. No change
    - b. No change
      - i. No change
      - ii. No change
      - iii. No change
- D.** No change
- E.** No change
- F.** No change
  1. No change
  2. No change
- G.** No change
  1. No change
  2. No change
- H.** Prescription records and retention.
  1. Except as specified in ~~subsection~~ subsections (H)(2) and (H)(3), a pharmacy permittee or pharmacist-in-charge shall ensure that each original prescription is:
    - a. No change
    - b. No change

2. In lieu of filing the actual original hard-copy prescription, a pharmacy permittee or pharmacist-in-charge may use an electronic imaging recordkeeping system, if:
  - a. No change
  - b. No change
  - c. No change
  - d. The actual original hard-copy prescription is maintained for no less than 30 days after the date dispensed;
  - ~~d-e.~~ Policies and procedures for the use of an electronic imaging recordkeeping system are developed, and implemented, reviewed, and revised in the same manner described in subsection (A) and complied with in the same manner as specified in subsection (A); and
  - ~~e-f.~~ The prescription is not for a schedule II controlled substance.
3. If a pharmacy's computer system fields are automatically populated by an electronically transmitted prescription order, the automated record shall constitute the original prescription and a hard-copy or electronic image is not required if the computer system is capable of maintaining, printing, and providing within 72 hours of a request by the Board, the Board's compliance officers, other authorized regulatory Board agents, or authorized officers of the law all the prescription information required in A.R.S. §§ 32-1968 and 36-2525 and A.A.C. R4-23-407(A).
4. A pharmacy permittee or pharmacist-in-charge shall develop and implement a quality assurance program to ensure the accuracy of electronically transmitted prescription order information and the completion of pharmaceutical patient care services for electronically transmitted prescription orders.